

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION

PAULINE THARPE by next friend and  
attorney in fact, MARSHALL THARPE,

Plaintiff,

v.

MERCK & CO., INC.;  
RONNIE L. BATCHELOR, DPH;  
TAMMY RENE N. PRATHER, DPH,  
BECKY CAPPS TEAL, DPH,  
EXPRESS SCRIPTS, INC.,  
STEPHANIE B. (BUCK) ISON;  
COURTNEY SHAY (INGRAM) McMAKIN;  
VINAY KRISHAN SOOD;  
MELISSA CAROL (McALLISTER)  
BARNES; MICHAEL RICHARDS, PATRICIA  
BLASINGAME and SCOTT EVANS,

Defendants.

Case No: 05-1067 T/An

FILED BY 2 D.C.  
05 MAY -6 AM 8:37  
ROBERT L. DITTO  
CLERK OF U.S. DISTRICT COURT  
WESTERN DISTRICT OF TENNESSEE

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ORDER OF SUBSTITUTION

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It appearing to the Court that Thomas M. Donnell, Jr. of the law firm of Stewart, Estes & Donnell in Nashville, Tennessee should be substituted for attorneys Stephen P. Hale and Buffey E. Klein of the law firm of Husch & Eppenberger, LLC in Memphis, Tennessee as counsel of record for Defendant Express Scripts, Inc.;

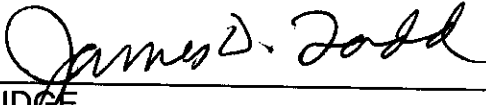
It is therefore ORDERED that Thomas M. Donnell, Jr. of the law firm of Stewart, Estes & Donnell is substituted for attorneys Stephen P. Hale and Buffey E. Klein of the law firm of Husch & Eppenberger, LLC in Memphis, Tennessee as attorney of record for Defendant Express Scripts, Inc.

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This document entered on the docket sheet in compliance  
with Rule 58 and/or 79 (a) FRCP on 05/06/05

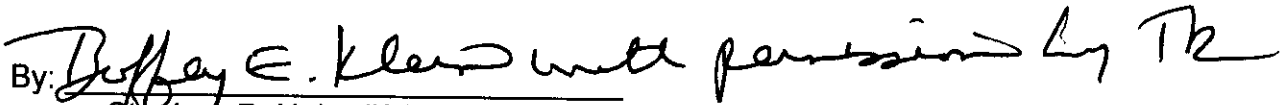
(33)

Signed this 5<sup>th</sup> day of May, 2005.


  
\_\_\_\_\_  
JUDGE

APPROVED FOR ENTRY:

HUSCH & EPPENBERGER, LLC

By:   
\_\_\_\_\_  
Stephen P. Hale, #011276  
Buffey E. Klein, #022879  
One Memphis Place  
200 Jefferson Avenue, Suite 1450  
Memphis, TN 38103  
(901) 523-1123

STEWART, ESTES & DONNELL

By:   
\_\_\_\_\_  
Thomas M. Donnell, Jr., #3541  
Financial Center, Suite 1401  
424 Church Street  
Nashville, TN 37219  
(615) 244-6538

**CERTIFICATE OF SERVICE**

I hereby certify that a true and exact copy of the foregoing has been placed in the U.S. Mail, postage prepaid and properly addressed to:

Steven G. Ohrvall, Esq.  
T. Robert Hill, Esq.  
Hill – Boren, P.C.  
1269 North Highland Avenue  
P.O. Box 3539  
Jackson, TN 38303-3539

James L. Wright, Esq.  
Mithoff & Jacks, P.C.  
111 Congress Avenue  
Suite 1010  
Austin, TX 78701

James M. Doran, Jr., Esq.  
Waller Lansden Dortch & Davis, PLLC  
511 Union Street, Suite 2700  
Nashville, TN 37219

Thomas F. Preston, Esq.  
Pam Warnock Green, Esq.  
McNabb, Bragorgos & Burgess, PLLC  
81 Monroe Avenue, Sixth Floor  
Memphis, TN 38103

this 3 day of May, 2005.

  
\_\_\_\_\_  
Thomas M. Donnell, Jr.



## Notice of Distribution

This notice confirms a copy of the document docketed as number 33 in case 1:05-CV-01067 was distributed by fax, mail, or direct printing on May 6, 2005 to the parties listed.

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Thomas F. Preston  
MCNABB BRAGORGOS & BURGESS, PLLC  
81 Monroe Ave.  
Sixth Floor  
Memphis, TN 38103--540

James M. Doran  
WALLER LANSDEN DORTCH & DAVIS  
511 Union St.  
Ste. 2700  
Nashville, TN 37219--896

Thomas M. Donnell  
STEWART ESTES & DONNELL  
424 Church St.  
Ste. 1401  
Nashville, TN 37219--239

Joseph R. Alexander  
Mithoff & Jacks  
500 Dallis St.  
Ste. 3450  
Houston, TX 77002

T. Robert Hill  
HILL BOREN  
1269 N. Highland Ave.  
Jackson, TN 38303--053

Stephen P. Hale  
HUSCH & EPPENBERGER  
200 Jefferson Ave.  
Ste. 1450  
Memphis, TN 38103

Steven G. Ohrvall  
HILL BOREN- Jackson  
1269 N. Highland Ave.  
P.O. Box 3539  
Jackson, TN 38303--353

Pam Warnock Green  
MCNABB BRAGORGOS & BURGESS, PLLC  
81 Monroe Ave.  
Sixth Floor  
Memphis, TN 38103--540

James L. Wright  
Mithoff & Jacks, P.C.  
111 Congress Avenue  
Suite 1010  
Austin, TX 78701

Pam Belew  
CIRCUIT COURT CLERK  
Weakley County Courthouse  
P.O. Box 28  
Dresden, TN 38225

Buffey Klein  
HUSCH & EPPENBERGER  
200 Jefferson Ave.  
Ste. 1450  
Memphis, TN 38103

Lela M. Hollabaugh  
WALLER LANSDEN DORTCH & DAVIS  
511 Union St.  
Ste. 2700  
Nashville, TN 37219--896

Honorable James Todd  
US DISTRICT COURT